UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 26 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Mark W. Townsend
HES/Sr. Environmental Specialist
Ineos ABS (USA) Corporation
356 Three Rivers Parkway
Addyston, Ohio 45001

Re: Notice of Violation
RCRA Compliance Evaluation Inspection Ineos ABS (USA) Corporation
EPA I.D. No.: OHD004233003

Dear Mr. Townsend:

On July 24-25, 2014 a representative of the U.S. Environmental Protection Agency inspected Ineos ABS (USA) Corporation (Ineos) located in Addyston, Ohio. The purpose of the inspection was to evaluate Ineos' compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. Please find enclosed a copy of the inspection report for your reference.

Based on the information provided by Ineos personnel, review of records, and personal observations made by the inspector at the time of the investigation, EPA has determined that Ineos is engaged in the management of hazardous waste without a hazardous waste storage permit, and is in violation of the requirements of the Ohio Administrative Code (OAC) and the United States Code of Federal Regulations (CFR). To be eligible for the exemption from having a hazardous waste storage operating permit, Ineos must be in compliance with the conditions of OAC 3745-52-34(A) and (C) [40 CFR § 262.34(a) and (c)]. We find that Ineos is in noncompliance with the following conditions for the storage permit exemption, and in violation of the following requirements:

1. A large quantity generator must determine whether its waste is hazardous. See, OAC 3745-52-11 [40 CFR § 262.11]. At the time of the inspection, Ineos had not made a hazardous waste determination of the crushed spent fluorescent lamps accumulated in a 55-gallon drum in Bldg. #26, and 13 55-gallon drums of unknown material, 11 55-gallon drums of used anti-freeze, and liquid in metal pad stored in the facility's outdoor oil pad. Ineos, therefore, violated the above-referenced generator requirement.

2. A large quantity generator must keep a copy of the hazardous waste manifest signed by the designated disposal facility for three years from the date wastes were offered to the initial transporter. See, OAC rule 3745-52-40 (A) [40 CFR & 262.40(a)]. At the time of the inspection, Ineos failed to maintain a record of hazardous waste manifest signed by the disposal facility for shipments of hazardous wastes on 03/07/2012 (manifest # 005592482). Ineos, therefore, violated the above-referenced manifest record keeping generator requirement.

3. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must keep satellite containers closed except when it is necessary to add or remove wastes. See, OAC rules 3745-52-34 (C)(1)(a); 3745-66-73 (A) [40 CFR § 262.34(c)(1)(i), 265.173(a)]. This is also a requirement of owners and operators of hazardous waste storage facilities that use containers to store hazardous waste, under OAC rule 3745-66-73 (A) [40 CFR § 264.173(a)]. At the time of the inspection, Ineos failed to keep closed a container accumulating spent waste monomer from the sampling line of hazardous waste tank in Bldg. #9. Ineos, therefore, failed to comply with the above-mentioned condition for a storage license exemption, and violated the storage facility container closure requirement.

4. In order to avoid the need for the a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must always mark the containers with the words "Hazardous Waste," or other words that identify the contents of the containers. See, OAC rule 3745-52-34 (C)(1)(b) [40 CRF § 262.34(c)(1)(ii)]. At the time of the inspection Ineos failed to label container accumulating spent waste monomer from the sampling line of hazardous waste tank in Bldg. #9 with the words "Hazardous Waste," or other words that that identify the contents of the containers. Ineos, therefore failed to comply with the above-mentioned condition for a storage permit exemption.

5. In order to avoid the need for the a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must always mark the containers with the words "Hazardous Waste," or other words that identify the contents of the containers. See, OAC rule 3745-52-34 (C)(1)(b) [40 CRF § 262.34(c)(1)(ii)]. At the time of the inspection Ineos failed to label small containers accumulating spent lab wastes in Bldg. #8 with the words "Hazardous Waste," or other words that that identify the contents of the containers. Ineos, therefore failed to comply with the above-mentioned condition for a storage permit exemption.

6. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must ensure that satellite containers are at or near the point of generation and control of the operator of the process generating the waste. See, OAC rule 3745-52-34(C)(1) [40 CRF § 262.34(c)(1)]. At the time of the inspection Ineos was accumulating hazardous waste generated from laboratories in Bldgs. #1 and #8 in drums that were located outside of the Bldg. #12, which was not near the processes generating the

wastes. Ineos, therefore failed to comply with the above-mentioned condition for a storage permit exemption.

7. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using containers for accumulation of hazardous waste must always mark its containers with the accumulation start date. See, OAC rule 3745-52-34(A)(3) [40 CFR § 262.34(a)(3)]. At the time of the inspection, Ineos failed to label two full 55-gallon drums accumulating hazardous waste styrene and gasoline rags in the 90-day storage pad with the accumulation start dates. Ineos, therefore, failed to comply with the above-mentioned conditions for a storage permit exemption.

8. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must have a contingency plan for his facility which includes a list of its emergency equipment, its location, physical description, and a brief outline of its capabilities. See, OAC rule 3745-52-34(A)(4); 3745-65-52(E) [40 CFR §§ 262.34(a)(4), 265.52(e)]. This is also a requirement of owners and operators of hazardous waste storage facilities, under OAC rule 3745-54-52(E) [40 CFR § 264.52(e)]. At the time of the inspection Ineos failed to include a list of its emergency equipment, its location, physical description, brief outlie of its capabilities in the facility's contingency plan. Ineos, therefore, failed to comply with the above-mentioned condition for a storage permit exemption, and violated the storage facility contingency plan requirement.

9. In order to avoid the need for a hazardous waste storage operating license, a large quantity generator using tanks to accumulate hazardous waste must inspect at least once each operating day: monitoring and leak detection equipment, overfill/spill control equipment, above ground portions of the tank, and secondary containment system. The owner or operator must document inspections of its tank systems in the operating record. See, OAC rule 3745-66-95(A)-(B) and (G); [40 CFR § 265.195(a)-(b), and (g)]. This is also a requirement of owners and operators of hazardous waste storage facilities that store hazardous waste, under OAC rule 3745-55-95(A)-(B) and (G) [40 CFR part 264, subpart J, § 264.195(a)-(b), and (h)]. At the time of the inspection, Ineos failed to conduct daily inspections of its tank system in Bldg. #9 on 10/28-29/2013. Ineos, therefore, failed to comply with the above-mentioned condition for a storage license exemption, and violated the storage facility tank inspection requirement.

10. A used oil generator must label containers used for the storage of used oil with the words "Used Oil." See, OAC rule 3745-279-22 (C)(1) [40 CFR & 279.22(c)(1)]. At the time of the inspection Ineos failed to label three 55-gallon drums accumulating used oil drums in the facility's outdoor oil storage pad with the words "Used Oil." Ineos, therefore, violated the above-referenced used oil container labeling generator requirement.

11. A small quantity handler of universal waste must contain used fluorescent lamps in containers or packages that are structurally sound, adequate to prevent breakage, compatible

with the contents of the lamps, and closed. See, OAC 3745-273-13 (D)(1) [40 CFR § 273.13(d)(1)]. At the time of the inspection, Ineos failed to store used fluorescent lamps in containers; the lamps were being stored loosely in Bldg. #26. Ineos, therefore, violated the above- referenced universal waste small quantity handler used fluorescent lamp management requirement.

12. A large quantity generator who accumulates hazardous waste on-site for 90 days or less, and who does not meet the conditions for a permit exemption of OAC 3745-52-34 (A) and (C) [40 CFR § 262.34(a) and (c)], is an operator of a hazardous waste storage facility, and is required to obtain a hazardous waste storage permit. See, OAC 3745-52-34(D), 3745-50-41(A), 3745-50-45(A) [40 CFR §§ 270.1(c), 270.10(a), (d)]. Upon failing to comply with the conditions for a permit exemption specified in Nos. 3-9 above, Ineos violated the permitting requirements of OAC 3745-52-34(D), 3745-50-41(A), 3745-50-45(A) [40 CFR §§ 270.1(c), 270.10(a), (d)].

At this time, EPA is not requiring Ineos to apply for either an Ohio storage permit or EPA storage permit, so long as it immediately establishes compliance with the conditions for an exemption outlined above. Under Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), EPA may issue an order assessing a civil penalty for any past or current violation and requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspection to establish compliance with the above conditions and requirements.

You should submit your response to Derrick Samaranski, U.S. EPA Agency, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Derrick Samaranski, of my staff, at (312) 886-7812.

Sincerely,

Gary J. Victorine, Chief
RCRA Branch

Enclosures

cc: Pamela Hull, Ohio EPA, Pamela.Hull@epa.ohio.gov
McCoy Bruce, Ohio EPA, Bruce.McCoy@epa.ohio.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5, LCD, RCRA BRANCH, LR-8J
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME:	Ineos ABS (USA) Corporation
EPA ID No.:	OHD004233003
ADDRESS:	356 Three Rivers Parkway Addyston, Ohio 45001
DATE OF INSPECTION:	July 24-25, 2014
EPA INSPECTOR:	Derrick Samaranski, LCD, RCRA, CS2

PREPARED BY: Derrick Samaranski — 09/18/14 — **Date Completed**

ACCEPTED BY: **Julie Morris, Chief**
Compliance Section 2 — 9/24/14 — **Date**

Purpose of Inspection

I conducted an unannounced Compliance Evaluation Inspection (CEI or "Inspection") of Ineos ABS (USA) Corporation ("Ineos" or "Facility") located in Addyston, Ohio. This CEI was an evaluation of Ineos' compliance with hazardous waste regulations found at Ohio Administrative Code (OAC) and the Code of Federal Regulations (CFR). Pamela Hull of the Ohio Environmental Protection Agency accompanied me on this CEI. The inspection was an EPA lead RCRA Compliance Evaluation Inspection (CEI).

Participants

Inspector(s):

Derrick Samaranski, U.S. EPA
Pamela Hull, Ohio EPA

Site Representatives:

Mark W. Townsend, HES/Sr. Environmental Specialist

Introduction

I arrived at the location of the facility at 9:50 AM, local time after meeting with Pamela Hull of the Ohio EPA. We proceeded to the reception area where I dialed Mr. Townsend and explained that we were visiting the facility to conduct a hazardous waste compliance inspection of the facility. When Mr. Townsend arrived in the reception area I introduced myself, and presented my official credentials. After signing-in we were asked to watch a safety orientation video before proceeding to the site. During the opening conference I outlined the scope of the inspection and asked for a description of Ineos waste management operations.

I informed Mr. Townsend that Ineos could claim any information gathered during the inspection as Confidential Business information including: verbal information, documents and photographs. Ineos did not make a CBI claim on the information gathered during the inspection.

Site Description

The following information about Ineos is based on the personal observations of the EPA inspector and on representations made during the inspection by the facility personnel identified above or within the text or otherwise specified.

Ineos is an acrylonitrile butadiene styrene ABS plastics manufacturer which manufactures plastics pellets by batch and continuous process. The facility occupies approximately 130 acres and currently employs 260 employees and support staff in a 24-7 operation. The production units

are only operated in two shifts. Bulk raw materials are delivered to the facility by barge, rail, and truck, and are stored in designated tanks in the tank farm. Smaller volumes of chemicals, additives, colorants, fillers, catalysts, rubber, oils, and solvents are delivered to the plant by truck and stored in designated areas throughout the plant. Process water is derived from twelve on-site wells. Finished products are stored in the warehouse before being offered for shipment to customers.

The majority of hazardous waste generated at the Ineos facility results from the production of the ABS plastics and production vessel cleaning. Bldgs. #9 and #30 manufacturing operations produce spent monomer hazardous waste stream which is managed on-site into 90-day storage tanks located near the production bldgs. Bldg. #30 tank has 30,000 gallon capacity and Bldg. #9 has 7,000 gallon capacity. Bldg. #30 tank also receives organic wastes from the MACT distillation column which is used by the facility for the control of the organics from the plant operations. Containerized hazardous wastes are initially accumulated in satellite areas and then moved to the designated 90-day storage pad.

Support operations at Ineos include maintenance areas, waste water treatment plant, shipping and receiving, product storage in silos, and research and quality control labs.

Site Tour

The site walk-through of the facility operations started at 2:00 PM, and began with a visit to the facility's Bldg. 11 where Ineos accumulates recyclable scrap metal and electronic waste which it offers to Cohen Brothers, Inc. in Middletown, Ohio. According to facility representatives the facility currently offers approximately 6,300 pounds of recyclable waste to the Cohen Brothers per year.

Next, we continued the site walk-through by visiting Bldg. 52 and raw material tank farm (styrene day tanks A8-A9, acrylonitrile day tank A13). In Bldg. 52 Ineos operates one of several maintenance areas and uses a parts washer which is contractually serviced by Safety Clean. The solvent used in the parts washer is a Premium Gold 82658/827274 solvent. No used oil is collected by the maintenance in Bldg. 52. The styrene day tanks were being serviced at the time of our visit, and according to the facility representatives any clean-up wastes generated will be containerized and managed as hazardous waste. Solids from the cleaning operation will be sent off-site for incineration in a kiln.

On the way to the facility's Waste Water Treatment plant we stopped by one of the bag house units and ground water well #4. Ineos has several ground water wells on-site which are used to draw water for the production processes. The well water is treated with hypochlorite before usage, and treated after use in the WWT plant to remove the excess chlorine before discharge to the Ohio River. According to the facility representatives bag houses are used for the collection of non-hazardous particulates generated from the plastics production. At the WWT plant we spoke with the Ineos engineer in charge of the facility's waste water operations. The Ineos engineer showed us around and explained the operation of the waste water treatment plant. Primary

treatment at the WWT plant involves sulfate and pH adjustment (DAF) which generates sludge which is de-watered in the filter cake press and collected in roll-off boxes before being offered for disposal to Rumpke landfill every four days. The primary sludge (filter cake) is managed as non-hazardous waste. In addition to the filter cake Ineos WWT plant also generates solid non-hazardous waste from its Dry Bed Mulching system and initial screening of the incoming wastewaters. Used mulch is picked up by Rumpke as a non-hazardous waste solid. Ineos WWT Plant offers additional waste water treatment for high organic content waste waters and the facility is capable to divert waste water streams as needed. By volume Bldg. #9, #10, and #30 production operations contribute most to the WWT Plant flow. The Ineos' organics distillation column also contributes flow to the plant's waste water treatment plant and determines the use of organics treatment process. The plant's storm water, silo cleaning water, and cooling water are treated in the settling tanks before being discharged to the Ohio River. The site walk-through of the Ineos WWT Plant ended with a visit to the two outfall points where the facility discharges its storm water and WWT processed wastewater.

After visiting Ineos' WWT plant, we visited the facility's organics emission distillation column (MACT column), spent monomer hazardous waste storage tank, and Bldg. #30 manufacturing operations. The distillation column is used for treating high content organic waste waters generated from the manufacturing processes in Bldgs. #30 and #9. The distillation column emissions are regulated under the air program. During our visit to the distillation column I wrote down tag numbers for a pump (03794) and a valve (08099) to be verified with the facility's emission monitoring inspection program records. Ineos' 30,000 gallon spent monomer tank is one of the two hazardous waste tanks which the facility uses for the storage of hazardous wastes on-site. Both tanks are located near the manufacturing operations which contribute largest volumes of hazardous liquid wastes, Bldgs. #9 and #30. The Bldg. #30 spent monomer tank was located in a tank farm west of Bldg. 30 and just across the plant road. At the time of our visit, the 30,000 gallon spent monomer tank was located in secondary containment and was labeled as "Hazardous Waste." According to the facility representatives the tank has Level 1 emission controls and emissions are sent to a control device (boilers). Air program regulates the management of emissions generated by both Ineos hazardous waste tanks. An overhead piping is used for transferring the spent monomer waste from the tank to unloading station in Bldg. #30. The valves on the transfer line are manually controlled. The transfer piping is single walled, but is visually checked for leaks as a part of the tank system inspection program. During our visit, to Bldg. #30 operations we visited the process control center where we spoke with one of the operators about the operation of the 30,000 gallon spent monomer tank and its leak detection equipment. Ineos measures pressure and level drops to determine if there are leaks in the hazardous waste tank. Bldg. #30 operations also generate hazardous wastes from maintenance operations which are accumulated in containers in a satellite area. At the time of our visit to Bldg. #30 satellite area I observed accumulation of two full 55-gallon drums of acrylonitrile/ styrene/ MEK ignitable waste which were closed, labeled "Hazardous Waste," dated 07/24/2014, and ready for transfer to the facility's 90-day storage area. An additional 55-gallon drum was set up for the accumulation of the same waste stream (closed, labeled).

Next, we visited Ineos' 90-day hazardous waste storage pad which was located in the south west portion of the facility. The hazardous waste pad has a 50,000 gallon capacity and is made of concrete and surrounded by a 10 inch concrete berm and chain linked fence. During our visit, I observed accumulation 32 drums of dirty acetone waste on one side of the pad, and: two drums of styrene waste, two drums of acrylonitrile, three drums of waste paint, and four drums of rubber solution generated from a seal leak. All of the observed drums were closed, labeled "Hazardous Waste" and dated with accumulation start dates with the exception of one of the styrene waste drums and gasoline soaked towels drum which were missing the accumulation start dates. Mr. Townsend wrote the accumulation start date on the undated styrene drum before we left. According to Mr. Townsend only three Ineos employees have hazardous waste management responsibilities at the facility.

From the hazardous waste storage pad we continued the tour of the facility operations by visiting the oil pad which was located south west of the hazardous waste pad. The oil pad is used by Ineos for storage of drummed chemicals and oil related wastes. At the time of our visit I observed accumulation of what was identified as or labeled as: 25 55-gallon drums of spent methanol, 13 55-gallon drums of unknown (claimed as product), 24 drums of ethylene glycol, 2 drums of used antifreeze, 2 drums of grease (labeled as used oil), 4 drums of used oil (three unlabeled), one used oil drum with a hole, and metal pad full of what appeared to be oily liquid. One of the unknown 13 drums was labeled as mercury sulfate fatty acid, and Mr. Townsend stated that the unknown drums were stored on-site for approximately 2-3 years. All of the observed drums were stored on wooden pallets. The spent methanol is used by the facility as food for the bugs in the waste water treatment plant. The north west corner of the pad where four drums of used oil and four drums of propylene glycol were stored was covered in rain water. According to Mr. Townsend the methanol drums observed on the oil pad come from the methanol rinse of reaction vessels in Bldg. #9 and #10, and have been on the pad for approximately a year.

On the way to Bldg. 72 we walked by the facility's catalyst bunker. Ineos uses Bldg. 72 for the storage and receipt of small volume of raw chemicals used throughout the plant. I observed storage of: drums of citric acid, bags of sodium hydroxide, totes of sulfuric acid and phosphoric acid, and containers of rubber. During the walk-through of Bldg. 72 I observed a spill of white granules from a punctured bag of anti-oxidant. Mr. Townsend stated that the spill will be addressed and left a message for the personnel responsible for Bldg. 72.

After visiting Bldg. 72, we briefly visited Ineos' maintenance and support operations, and parts of the facility which were no longer in operation or were removed (structures dismantled). We visited former Bldg. 40 pad which is currently used for receiving materials, Bldg. 20 (coal fired boiler) which was shut down in 2013 and its outdoor ash silo, and former nitrogen generation plant (equipment still belongs to the contractor). In Bldg. 23 Ineos operates two boilers and compressors which generate used oil. A small bench top lab is set-up in Bldg. 23 for testing the boiler water. According to Mr. Townsend no hazardous wastes are generated from Bldg. #23 operations. Bldg. #23 boilers serve as facility's air control devices. Bldgs. #24 (yard maintenance), #25, and #26 are parts of Ineos' maintenance operations. Bldg. #24's personnel

use small quantities of pesticides or herbicides, but don't generate any hazardous wastes according to Mr. Townsend. In Bldg. #26 I observed accumulation of crushed spent fluorescent lamps in a 55-gallon drum which was labeled as "Spent Lamps." Ineos crushes its spent fluorescent lamps through a bulb crusher unit which is equipped with a vapor collection filter before offering the lamps to Safety Kleen once a quarter. Before leaving Bldg. #26 I also observed two loose used lamps which were not properly containerized. In Bldg. #25 I observed accumulation of used oil filters, used rags, and used oil in 55-gallon containers. The drum of used oil was labeled as used oil. Bldg. #25 also had a small can accumulating used rags, 55-gallon drum of spent aerosol cans, and parts washer in the old pump shop. Bldg. # 25 was also the location of the old paint booth which is no longer used by the facility. I explained to Mr. Townsend that aerosol can collection must ensure that the cans are RCRA empty, otherwise they would need to be evaluated if their content is hazardous. The parts washer in Bldg. #25 is used very rarely and Ineos has not generated spent parts washer solvent.

Next, we continued the facility inspection by visiting the box used for the collection of used batteries in the back of Bldg. #23. The box was labeled as "Used Batteries." From back of Bldg. #23 we visited Ineos satellite area used for the collection of spent acetone used in production operations in Bldg. #4. The satellite area was located outside, between Bldgs. #25 and #4. At the time of our visit the satellite area held two 55-gallon drums of old acetone waste which were closed, labeled as "Hazardous Waste," and dated with accumulation start dates of 07/24/2014. Two additional drums of virgin acetone were also stored in the same area as the spent acetone. Ineos stated the spent acetone drums are moved to the facility's 90-day hazardous waste pad. Bldg. #4 operations are a guest operation run by Ashland Chemical since 2007. During our visit to Bldg. #4 I observed accumulation of ignitable styrene monomer in a 55-gallon satellite drum located next to the presses. According to Mr. Townsend Ashland generates approximately ten drums of the styrene monomer waste per year, and is managed by Ineos.

From Bldg. #4 we visited Bldg. #1 where Ineos houses its research operations and which was empty at the time of our visit, Bldg. 8, Bldg. 11, and Bldg. 7 which was out of service. Bldg. #8 houses the facility's compounding operation and quality control lab. The lab in Bldg. #8 generates small quantities of lab wastes which are accumulated in satellite areas under the hoods in the lab and then transferred to 55-gallon drums located outside of Bldg. #12. The three observed satellite containers in the Bldg. #8 were not labeled as hazardous waste or other words identifying the contents of the containers during our visit to the lab. Special care is taken in Bldg. #8 lab to dispose and manage acetonitrile waste, which is disposed from the lab once per week. The area outside of Bldg. #12 designated for the collection of the lab wastes from Bldg. #8 and #1 held one 55-gallon drum which was labeled "Hazardous Waste" and closed. Bldg. #11 houses an empty un-used lab.

Next, we visited Bldg. #9 and #10 operations where I inspected Ineos' second spent monomer tank. The tank was labeled as "Hazardous Waste" and was located in a secondary containment area. Near the spent monomer tank was located a sampling area for the DN process and satellite drum to collect wastes from sample collection. The satellite drum was closed and labeled as "Hazardous Waste." Next to the drum was located a small open container where the sampling

line ended. I did not observe a closure device on the sampling line as it was submerged in the liquid inside the small container. A pumping lance was also located over the small container of liquid and presumably used to pump the liquid from the small container into the nearby satellite drum. The spent monomer in the tank is managed as a hazardous waste. Bldg. #10 operations which use butadiene require washing with caustic to remove the inhibitor. Before leaving the Bldg. #9 and #10 operations I was shown an example of a MACT organic collection trap which feeds to a decanter and then the MACT distillation column. The MACT organic collection traps are used in Bldg. #9 and #30 operations. I also recorded ids of two valves 00538 and 00540 off of the spent monomer tank to verify with facility's organic emission inspection records.

The site-through of the facility operations ended with a visit to the Ineos product and raw material warehouse. No hazardous waste generation was observed in the warehouse. The site walk-through ended at 7:30 PM. I left the site at 7:45 PM.

Records Review

On 07/25/2014, I continued the inspection of Ineos facility by conducting a records review of documents related to waste generation and management at the plant. First, I reviewed Ineos' Annual and Bi-annual Hazardous Waste Reports going back to 2010. All of the reviewed reports were submitted to the Ohio EPA before the due date.

Next, I reviewed the MSDS for the released raw material observed in Bldg. #72 and Ineos Contingency Plan. The MSDS identified the product as a Songnox 1076 product which according to the MSDS did not exhibit any hazardous waste characteristics or list potentially hazardous waste components. The facility's contingency plan which was dated 12/14/2012, was missing the listing and locations of emergency spill kits.

After reviewing the Contingency Plan, I reviewed weekly inspection records of the facility's hazardous waste accumulation areas, monthly checklist of the firefighting equipment, and daily logs of the hazardous waste tanks located near Bldg. #30 and #9. The tank records as well as the container storage area covered three years' worth of records (2011-2014). Review of the daily hazardous waste tank records revealed that Ineos failed to record or conduct inspections of the Bldg. #9 tank on 10/28-29/2013. I also verified that the un-dated drum observed in the hazardous waste pad area was placed into it on the same date as the other dated drum.

Next, I reviewed Ineos hazardous waste manifests and land disposal restriction forms for the last three years of operation (2011-2014), universal waste shipping documents, and used oil shipping documents. Review of the hazardous waste manifests revealed that Ineos failed to receive a disposal facility signed copy of the hazardous waste manifest # 005924482 (03/07/2012). Used oil generated by the facility was offered to RS Used Oil Services, Inc. and currently to Safety Kleen (OHR000165753). Used batteries are sent to Equipment Depot in Cincinnati, Ohio, and used bulbs are sent to Spring Grove Resource Recovery in Cincinnati.

After receiving waste shipping document and hazardous waste manifests, I reviewed a sample of training records which Ineos provides to employees with hazardous waste responsibilities, available waste profiles, hazardous waste tank certifications, parts of facility's Title V permit, and organic emissions management program records. Ineos organic emissions from hazardous waste storage tank systems are covered under the air program, and the facility has a yearlong leak detection program. The records review ended at 1:00 PM.

Closing Conference

For the inspection close-out conference I requested a copy of several waste profiles which were not available at the time of the inspection lab packs, WWT sludge and mulch, and spent monomer waste. I also discussed issues observed as the result of the site walk-through and records review: labeling and dating of containers, missing signed copies of hazardous waste manifests and inspection records, and container closure issues. I gave the facility representatives copies of the Small Business Resource Sheet and Ohio's Onsite Pollution Prevention Assistance handouts. The inspection of the facility ended at 1:00 PM.

Attachments

A. Photographs
B. Checklists
C. List of Documents Copied/Obtained During Inspection
D. CD of All Photos Taken During the Inspection

ATTACHMENT A
Photographs

Ineos ABS (USA) Corporation
OHD004233003

Photograph Number: 1

Photographer: Derrick Samaranski

Photograph Description: Drum of hazardous waste styrene waste missing accumulation start date located in the facility's 90-day hazardous waste pad (drum on the right).

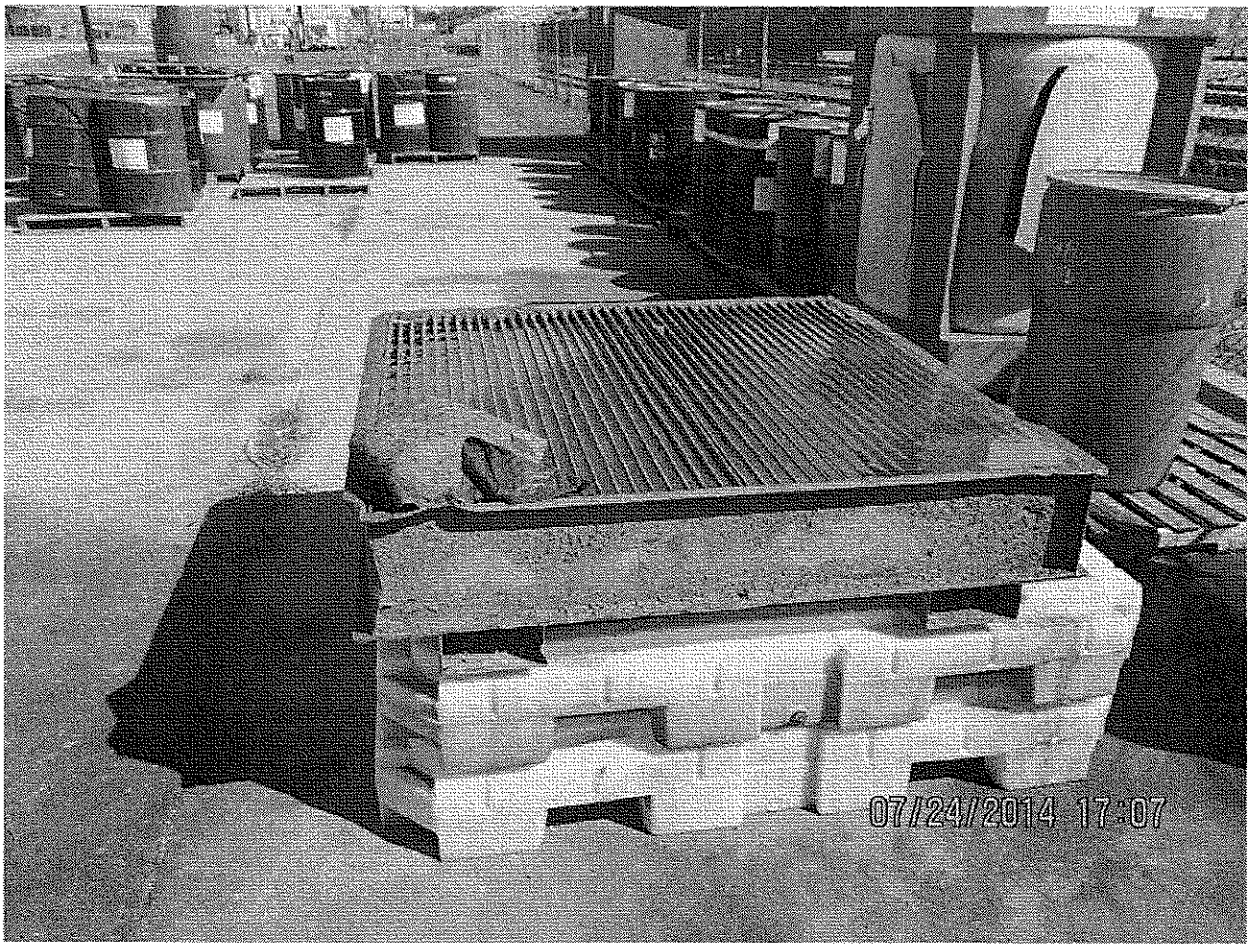
Ineos ABS (USA) Corporation
OHD004233003

Photograph Number: 2

Photographer: Derrick Samaranski

Photograph Description: Wide angle view of the facility's oil pad (towards east direction).

Ineos ABS (USA) Corporation
OHD004233003



Photograph Number: 3

Photographer: Derrick Samaranski

Photograph Description: Metal pad full of oily liquid in the Ineos oily pad.

Ineos ABS (USA) Corporation
OHD004233003

Photograph Number: 4

Photographer: Derrick Samaranski

Photograph Description: Used oil drum with a puncture hole on the side of it.

Photograph Number: 5

Photographer: Derrick Samaranski

Photograph Description: Rain water with oily sheen in the corner of the facility's oily pad.

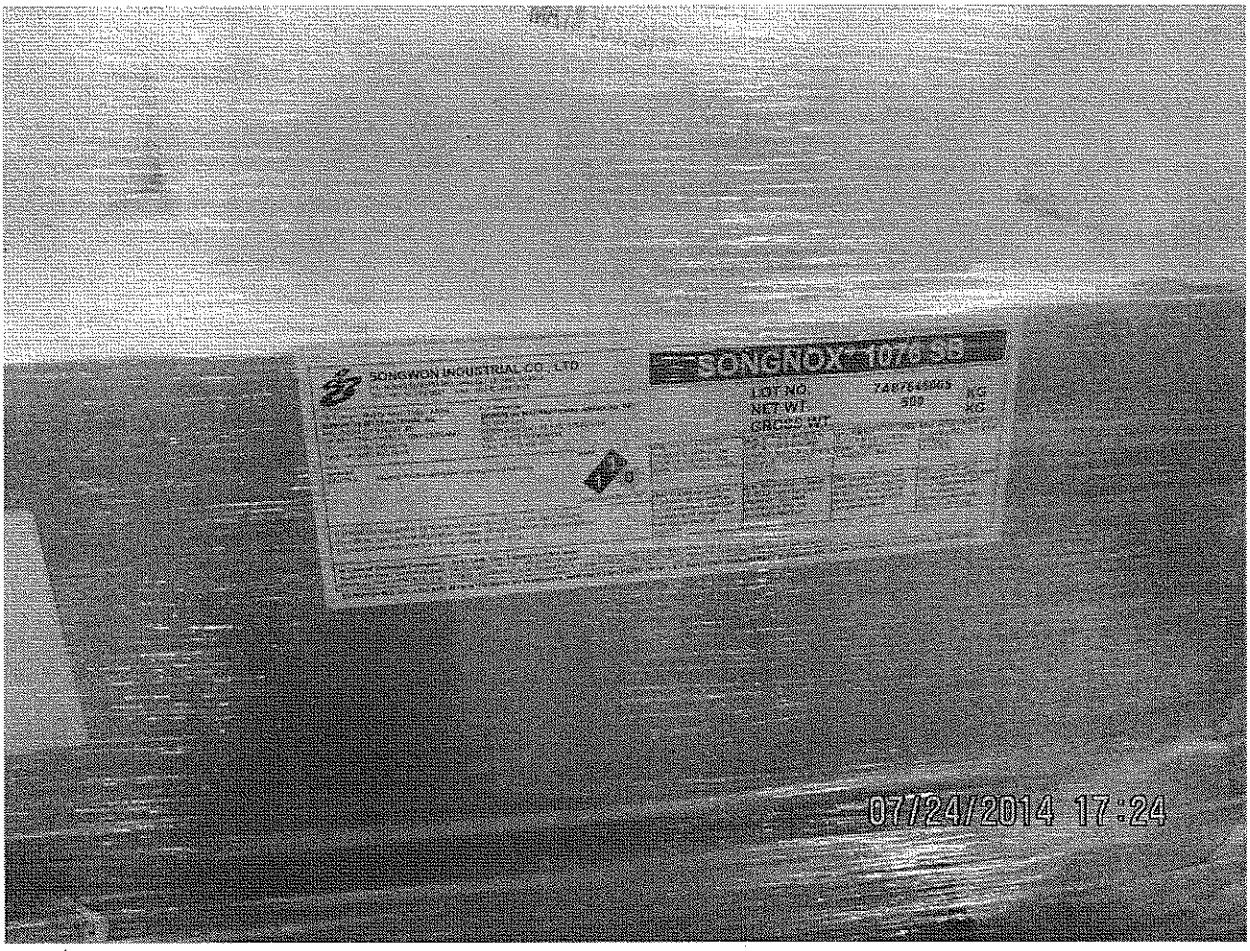
Ineos ABS (USA) Corporation
OHD004233003

Photograph Number: 6

Photographer: Derrick Samaranski

Photograph Description: Spilled raw material in the facility's Bldg. #72 warehouse.

Ineos ABS (USA) Corporation
OHD004233003

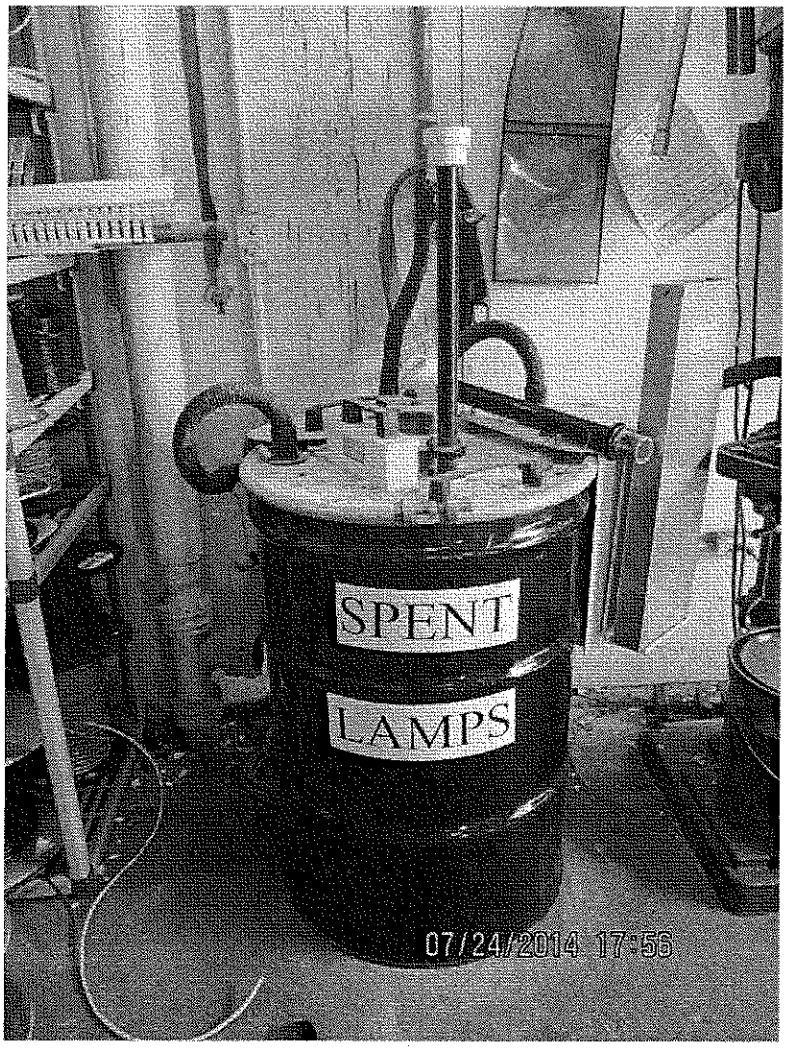


Photograph Number: 7

Photographer: Derrick Samaranski

Photograph Description: Close-up of the label on the container of the released material pictured in photo #6.

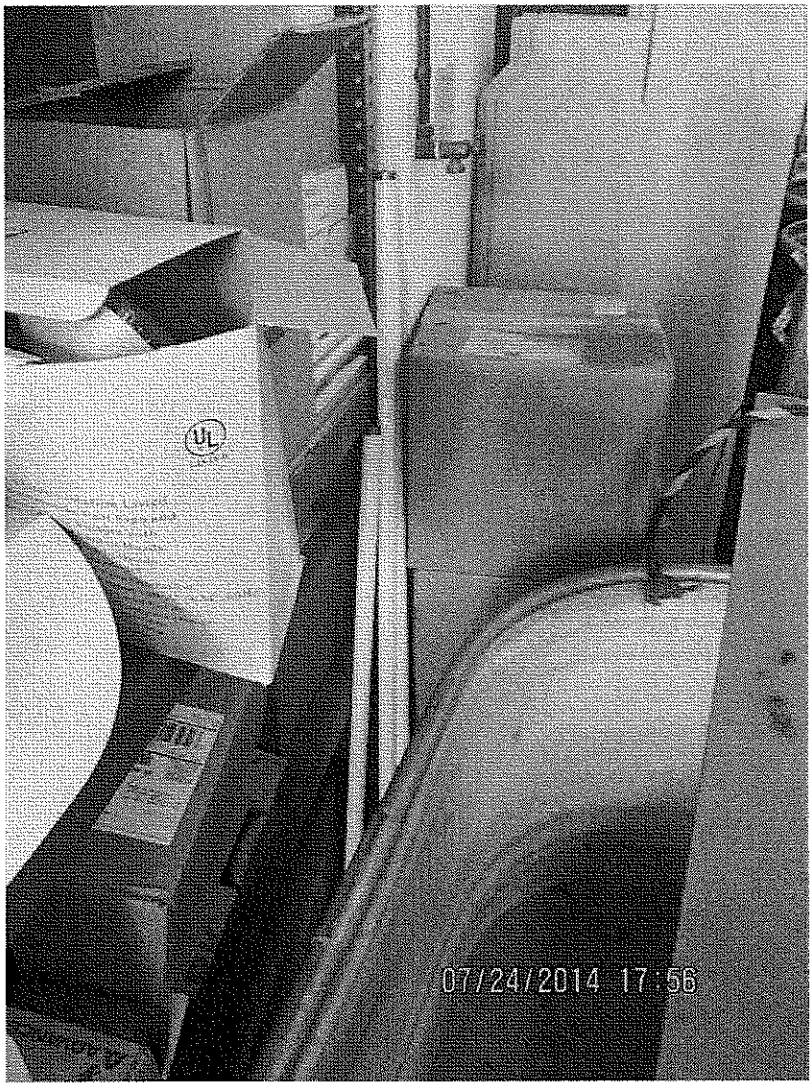
Ineos ABS (USA) Corporation
OHD004233003



Photograph Number: 8

Photographer: Derrick Samaranski

Photograph Description: Drum accumulating crushed spent fluorescent lamps and lamp crusher unit on top of the drum (Bldg. #26).

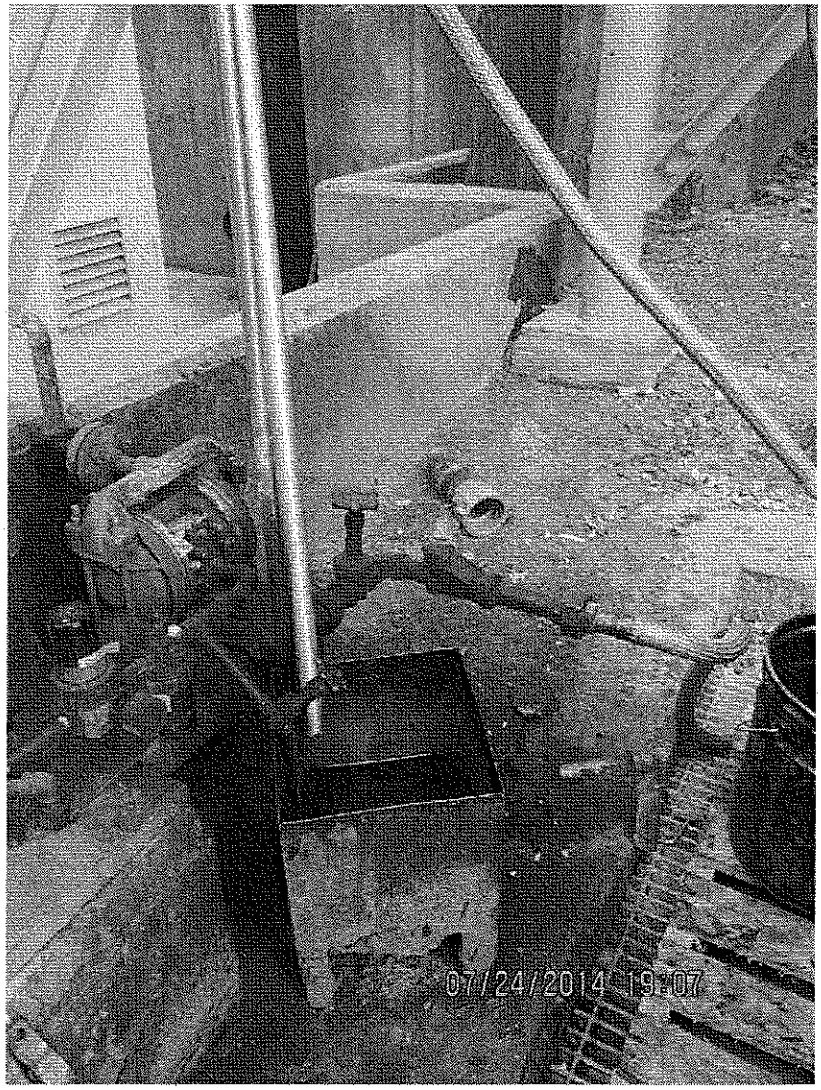


Photograph Number: 9

Photographer: Derrick Samaranski

Photograph Description: Loose fluorescent lamps in Bldg. #26.

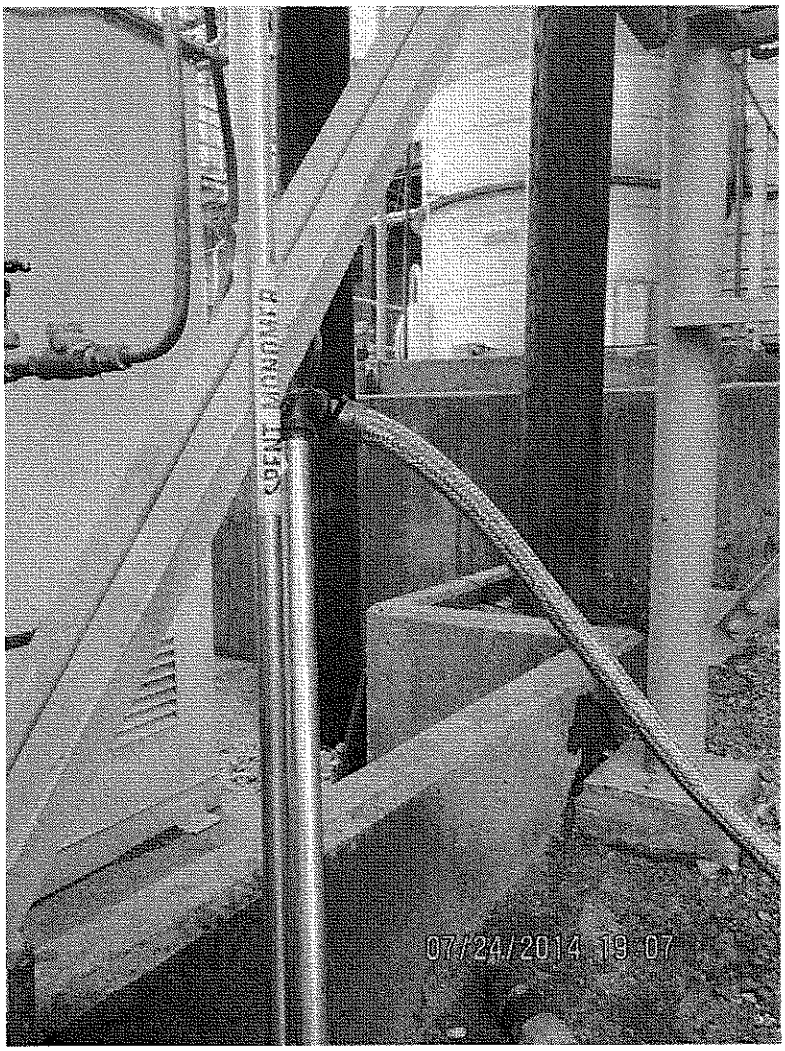
Ineos ABS (USA) Corporation
OHD004233003



Photograph Number: 10

Photographer: Derrick Samaranski

Photograph Description: Open unlabeled container accumulating spent monomer waste near hazardous waste tank in Bldg. #9 area.



Photograph Number: 11

Photographer: Derrick Samaranski

Photograph Description: Spent monomer sampling line lacking closure devices (same line as pictured in photo #10).

ATTACHMENT C
Documents Copied

Document	Date
Copy of the Ineos Site Plan	07/24/2014
MSDS for Songnox 1076 SB	07/25/2014

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Mark W. Townsend
HES/Sr. Environmental Specialist
Ineos ABS (USA) Corporation
356 Three Rivers Parkway
Addyston, Ohio 45001

Re: Notice of Violation
RCRA Compliance Evaluation Inspection Ineos ABS (USA) Corporation
EPA I.D. No.: OHD004233003

Dear Mr. Townsend:

On July 24-25, 2014 a representative of the U.S. Environmental Protection Agency inspected Ineos ABS (USA) Corporation (Ineos) located in Addyston, Ohio. The purpose of the inspection was to evaluate Ineos' compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. Please find enclosed a copy of the inspection report for your reference.

Based on the information provided by Ineos personnel, review of records, and personal observations made by the inspector at the time of the investigation, EPA has determined that Ineos is engaged in the management of hazardous waste without a hazardous waste storage permit, and is in violation of the requirements of the Ohio Administrative Code (OAC) and the United States Code of Federal Regulations (CFR). To be eligible for the exemption from having a hazardous waste storage operating permit, Ineos must be in compliance with the conditions of OAC 3745-52-34(A) and (C) [40 CFR § 262.34(a) and (c)]. We find that Ineos is in noncompliance with the following conditions for the storage permit exemption, and in violation of the following requirements:

1. A large quantity generator must determine whether its waste is hazardous. See, OAC 3745-52-11 [40 CFR § 262.11]. At the time of the inspection, Ineos had not made a hazardous waste determination of the crushed spent fluorescent lamps accumulated in a 55-gallon drum in Bldg. #26, and 13 55-gallon drums of unknown material, 11 55-gallon drums of used anti-freeze, and liquid in metal pad stored in the facility's outdoor oil pad. Ineos, therefore, violated the above-referenced generator requirement.

2. A large quantity generator must keep a copy of the hazardous waste manifest signed by the designated disposal facility for three years from the date wastes were offered to the initial transporter. See, OAC rule 3745-52-40 (A) [40 CFR & 262.40(a)]. At the time of the inspection, Ineos failed to maintain a record of hazardous waste manifest signed by the disposal facility for shipments of hazardous wastes on 03/07/2012 (manifest # 005592482). Ineos, therefore, violated the above-referenced manifest record keeping generator requirement.

3. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must keep satellite containers closed except when it is necessary to add or remove wastes. See, OAC rules 3745-52-34 (C)(1)(a); 3745-66-73 (A) [40 CFR § 262.34(c)(1)(i), 265.173(a)]. This is also a requirement of owners and operators of hazardous waste storage facilities that use containers to store hazardous waste, under OAC rule 3745-66-73 (A) [40 CFR § 264.173(a)]. At the time of the inspection, Ineos failed to keep closed a container accumulating spent waste monomer from the sampling line of hazardous waste tank in Bldg. #9. Ineos, therefore, failed to comply with the above-mentioned condition for a storage license exemption, and violated the storage facility container closure requirement.

4. In order to avoid the need for the a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must always mark the containers with the words "Hazardous Waste," or other words that identify the contents of the containers. See, OAC rule 3745-52-34 (C)(1)(b) [40 CRF § 262.34(c)(1)(ii)]. At the time of the inspection Ineos failed to label container accumulating spent waste monomer from the sampling line of hazardous waste tank in Bldg. #9 with the words "Hazardous Waste," or other words that that identify the contents of the containers. Ineos, therefore failed to comply with the above-mentioned condition for a storage permit exemption.

5. In order to avoid the need for the a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must always mark the containers with the words "Hazardous Waste," or other words that identify the contents of the containers. See, OAC rule 3745-52-34 (C)(1)(b) [40 CRF § 262.34(c)(1)(ii)]. At the time of the inspection Ineos failed to label small containers accumulating spent lab wastes in Bldg. #8 with the words "Hazardous Waste," or other words that that identify the contents of the containers. Ineos, therefore failed to comply with the above-mentioned condition for a storage permit exemption.

6. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using satellite accumulation containers must ensure that satellite containers are at or near the point of generation and control of the operator of the process generating the waste. See, OAC rule 3745-52-34(C)(1) [40 CRF § 262.34(c)(1)]. At the time of the inspection Ineos was accumulating hazardous waste generated from laboratories in Bldgs. #1 and #8 in drums that were located outside of the Bldg. #12, which was not near the processes generating the

wastes. Ineos, therefore failed to comply with the above-mentioned condition for a storage permit exemption.

7. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using containers for accumulation of hazardous waste must always mark its containers with the accumulation start date. See, OAC rule 3745-52-34(A)(3) [40 CFR § 262.34(a)(3)]. At the time of the inspection, Ineos failed to label two full 55-gallon drums accumulating hazardous waste styrene and gasoline rags in the 90-day storage pad with the accumulation start dates. Ineos, therefore, failed to comply with the above-mentioned conditions for a storage permit exemption.

8. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must have a contingency plan for his facility which includes a list of its emergency equipment, its location, physical description, and a brief outline of its capabilities. See, OAC rule 3745-52-34(A)(4); 3745-65-52(E) [40 CFR §§ 262.34(a)(4), 265.52(e)]. This is also a requirement of owners and operators of hazardous waste storage facilities, under OAC rule 3745-54-52(E) [40 CFR § 264.52(e)]. At the time of the inspection Ineos failed to include a list of its emergency equipment, its location, physical description, brief outlie of its capabilities in the facility's contingency plan. Ineos, therefore, failed to comply with the above-mentioned condition for a storage permit exemption, and violated the storage facility contingency plan requirement.

9. In order to avoid the need for a hazardous waste storage operating license, a large quantity generator using tanks to accumulate hazardous waste must inspect at least once each operating day: monitoring and leak detection equipment, overfill/spill control equipment, above ground portions of the tank, and secondary containment system. The owner or operator must document inspections of its tank systems in the operating record. See, OAC rule 3745-66-95(A)-(B) and (G); [40 CFR § 265.195(a)-(b), and (g)]. This is also a requirement of owners and operators of hazardous waste storage facilities that store hazardous waste, under OAC rule 3745-55-95(A)-(B) and (G) [40 CFR part 264, subpart J, § 264.195(a)-(b), and (h)]. At the time of the inspection, Ineos failed to conduct daily inspections of its tank system in Bldg. #9 on 10/28-29/2013. Ineos, therefore, failed to comply with the above-mentioned condition for a storage license exemption, and violated the storage facility tank inspection requirement.

10. A used oil generator must label containers used for the storage of used oil with the words "Used Oil." See, OAC rule 3745-279-22 (C)(1) [40 CFR & 279.22(c)(1)]. At the time of the inspection Ineos failed to label three 55-gallon drums accumulating used oil drums in the facility's outdoor oil storage pad with the words "Used Oil." Ineos, therefore, violated the above-referenced used oil container labeling generator requirement.

11. A small quantity handler of universal waste must contain used fluorescent lamps in containers or packages that are structurally sound, adequate to prevent breakage, compatible

with the contents of the lamps, and closed. See, OAC 3745-273-13 (D)(1) [40 CFR § 273.13(d)(1)]. At the time of the inspection, Ineos failed to store used fluorescent lamps in containers; the lamps were being stored loosely in Bldg. #26. Ineos, therefore, violated the above- referenced universal waste small quantity handler used fluorescent lamp management requirement.

12. A large quantity generator who accumulates hazardous waste on-site for 90 days or less, and who does not meet the conditions for a permit exemption of OAC 3745-52-34 (A) and (C) [40 CFR § 262.34(a) and (c)], is an operator of a hazardous waste storage facility, and is required to obtain a hazardous waste storage permit. See, OAC 3745-52-34(D), 3745-50-41(A), 3745-50-45(A) [40 CFR §§ 270.1(c), 270.10(a), (d)]. Upon failing to comply with the conditions for a permit exemption specified in Nos. 3-9 above, Ineos violated the permitting requirements of OAC 3745-52-34(D), 3745-50-41(A), 3745-50-45(A) [40 CFR §§ 270.1(c), 270.10(a), (d)].

At this time, EPA is not requiring Ineos to apply for either an Ohio storage permit or EPA storage permit, so long as it immediately establishes compliance with the conditions for an exemption outlined above. Under Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(a), EPA may issue an order assessing a civil penalty for any past or current violation and requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspection to establish compliance with the above conditions and requirements.

You should submit your response to Derrick Samaranski, U.S. EPA Agency, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Derrick Samaranski, of my staff, at (312) 886-7812.

Sincerely,

Gary J. Victorine, Chief
RCRA Branch

Enclosures

cc: Pamela Hull, Ohio EPA, Pamela.Hull@epa.ohio.gov
McCoy Bruce, Ohio EPA, Bruce.McCoy@epa.ohio.gov

LARGE QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]		Yes ☐	No ☒	N/A ☐		
2.	Are records of waste determination being kept for at least 3 years? [3745-52-40(C)]		Yes ☒	No ☐	N/A ☐ D.S.		
3.	Has the generator obtained a U.S. EPA identification number? [3745-52-12]		Yes ☒	No ☐	N/A ☐		
4.	Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)]		Yes ☒	No ☐	N/A ☐		
5.	Are annual reports kept on file for at least 3 years? [3745-52-40(B)]		Yes ☒	No ☐	N/A ☐		
6.	Has the generator transported or caused to be transported hazardous waste to **other** than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)]		Yes ☐	No ☒	N/A ☐		
7.	Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E)&(F)]		Yes ☐	No ☒	N/A ☐		
8.	Does the generator accumulate hazardous waste?		Yes ☒	No ☐	N/A ☐		
NOTE: If the LQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements still apply, e.g., annual reports, manifest, marking, record keeping, LDR, etc.							
9.	Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02(E)&(F)?		Yes ☐	No ☒	N/A ☐		
NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G)&(H).							
10.	Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]						
	a.	Container that meets 3745-66-70 to 3745-66-77?	Yes ☐	No ☐	N/A ☒		
	b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes ☐	No ☐	N/A ☒		
	c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes ☐	No ☐	N/A ☒		
	d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes ☐	No ☐	N/A ☒		
NOTE: Complete appropriate checklist for each unit.							
NOTE: If waste is treated to meet LDRs, use LDR checklist.							
11.	Does the generator export hazardous waste? If so:		Yes ☐	No ☒	N/A ☐		
	a.	Has the generator notified U.S. EPA of export activity? [3745-52-53(A)]	Yes ☐	No ☐	N/A ☒		
	b.	Has the generator complied with special manifest requirements? [3745-52-54]	Yes ☐	No ☐	N/A ☒		
	c.	For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55]	Yes ☐	No ☐	N/A ☒		
	d.	Has an annual report been submitted to U.S. EPA? [3745-52-56]	Yes ☐	No ☐	N/A ☒		

	e.	Are export related documents being maintained on-site? [3745-52-57(A)]	Yes ☐ No ☐ N/A ☒
MANIFEST REQUIREMENTS			
12.		Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)(1)]	Yes ☒ No ☐ N/A ☐
13.		Have items (1) through (20) of each manifest been completed? [3745-52-20(A)(1)]&[3745-52-27(A)]	Yes ☒ No ☐ N/A ☐
NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)(1)]			
14.		Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]	Yes ☒ No ☐ N/A ☐
NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].			
15.		If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]	Yes ☐ No ☐ N/A ☒
16.		Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)]	Yes ☒ No ☐ N/A ☐
17.		If the generator received a rejected load or residue and accumulated the waste on-site, did the generator sign item 18c or 20 of the manifest? [3745-52-34(M)]	Yes ☐ No ☐ N/A ☒
NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.			
18.		If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter, did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)]	Yes ☐ No ☐ N/A ☒
19.		If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)]	Yes ☐ No ☐ N/A ☒
20.		Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]	Yes ☐ No ☒ N/A ☐
NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.			
PERSONNEL TRAINING			
21.		Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)]	Yes ☒ No ☐ N/A ☐
22.		Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)]	Yes ☒ No ☐ N/A ☐
23.		Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)]	Yes ☒ No ☐ N/A ☐
24.		Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)]	Yes ☒ No ☐ N/A ☐
25.		Does the generator provide annual refresher training to employees? [3745-65-16(C)]	Yes ☒ No ☐ N/A ☐
26.		Does the generator keep records and documentation of:	
	a.	Job titles? [3745-65-16D(1)]	Yes ☒ No ☐ N/A ☐

	b.	Job descriptions? [3745-65-16D(2)]	Yes ☒ No ☐ N/A ☐
	c.	Type and amount of training given to each person? [3745-65-16D(3)]	Yes ☒ No ☐ N/A ☐
	d.	Completed training or job experience required? [3745-65-16D(4)]	Yes ☒ No ☐ N/A ☐
27.		Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)]	Yes ☒ No ☐ N/A ☐

NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the -job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.

Job Performed	Name of Employee	Date Trained

CONTINGENCY PLAN

28.		Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)]	Yes ☒ No ☐ N/A ☐
29.		Does the plan describe the following:	
	a.	Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? [3745-65-52(A)]	Yes ☒ No ☐ N/A ☐
	b.	Arrangements with emergency authorities? [3745-65-52(C)]	Yes ☒ No ☐ N/A ☐
	c.	A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)]	Yes ☒ No ☐ N/A ☐
	d.	A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)]	Yes ☐ No ☒ N/A ☐
	e.	An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)]	Yes ☒ No ☐ N/A ☐

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under CFR Part 112 or 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. [3745-65-52(B)]

30.	Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53(A)&(B)]	Yes ☒ No ☐ N/A ☐
31.	Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54]	Yes ☐ No ☐ N/A ☒
32.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]	Yes ☒ No ☐ N/A ☐

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan: (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

EMERGENCY PROCEDURES

33.		Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:	Yes ☐ No ☒ N/A ☐
	a.	Was the contingency plan implemented? [3745-65-51(B)]	Yes ☐ No ☐ N/A ☒
	b.	Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?	Yes ☐ No ☐ N/A ☒

	c.	Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)?	Yes ☐ No ☐ N/A ☒
NOTE: OAC 3745-65-51(b) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.			
PREPAREDNESS AND PREVENTION			
34.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31]		Yes ☒ No ☐ N/A ☐
35.	Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:		
	a.	Internal communications or alarm system? [3745-65-32(A)]	Yes ☒ No ☐ N/A ☐
	b.	Emergency communication device? [3745-65-32(B)]	Yes ☒ No ☐ N/A ☐
	c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]	Yes ☒ No ☐ N/A ☐
	d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes ☒ No ☐ N/A ☐
NOTE: Verify that the equipment is listed in the contingency plan.			
36.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]		Yes ☒ No ☐ N/A ☐
37.	Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33]		Yes ☐ No ☐ N/A ☐
38.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)]		Yes ☒ No ☐ N/A ☐
39.	If there is only one employee on the premises, is there immediate access to a device (eg., phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)]		Yes ☐ No ☐ N/A ☒
40.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]		Yes ☒ No ☐ N/A ☐
41.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)]		Yes ☒ No ☐ N/A ☐
42.	Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)]		Yes ☐ No ☐ N/A ☒
SATELLITE ACCUMULATION AREA REQUIREMENTS			
43.	Does the generator ensure that satellite accumulation area(s):		
	a.	Are at or near a point of generation? [3745-52-34(C)(1)]	Yes ☐ No ☒ N/A ☐
	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes ☐ No ☒ N/A ☐
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes ☐ No ☒ N/A ☐
	f.	Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes ☐ No ☒ N/A ☐
44.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:		Yes ☐ No ☐ N/A ☒

	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes ☐ No ☐ N/A ☒
	b.	Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes ☐ No ☐ N/A ☒
NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less then 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.			
USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS			
45.		Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes ☒ No ☐ N/A ☐
46.		Is the accumulation date on each container? [3745-52-34(A)(2)]	Yes ☐ No ☒ N/A ☐
47.		Are hazardous wastes stored in containers which are:	
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes ☒ No ☐ N/A ☐
	b.	In good condition? [3745-66-71]	Yes ☒ No ☐ N/A ☐
	c.	Compatible with wastes stored in them? [3745-66-72]	Yes ☒ No ☐ N/A ☐
	d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes ☒ No ☐ N/A ☐
NOTE: Record location on process summary sheets, photograph the area, and record on facility map.			
48.		Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days.	Yes ☒ No ☐ N/A ☐
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes ☒ No ☐ N/A ☐
49.		Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]	Yes ☒ No ☐ N/A ☐
50.		Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]	Yes ☐ No ☐ N/A ☒
51.		If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]	Yes ☐ No ☐ N/A ☒
52.		If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]	Yes ☐ No ☐ N/A ☒
NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.			
53.		If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745- 66-11? [3745-52-34(A)(1)]	Yes ☐ No ☐ N/A ☒
NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]			
PRE-TRANSPORT REQUIREMENTS			
54.		Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]	Yes ☒ No ☐ N/A ☐
55.		Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)]	Yes ☒ No ☐ N/A ☐

56.	Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]	Yes ☒ No ☐ N/A ☐

LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 3745-66-100)			
1.	Is each tank clearly labeled/marked with the words "Hazardous Waste?" [3745-52-34(A)(3)]		Yes ☒ No ☐ N/A ☐
TANK SYSTEM – GENERAL OPERATING REQUIREMENTS			
2.	Does the o/o follow the general operating requirements below:		
	a.	Does the o/o prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail? [3745-66-94(A)]	Yes ☒ No ☐ N/A ☐
	b.	Does the o/o use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)? [3745-66-94(B)]	Yes ☒ No ☐ N/A ☐
	c.	If a leak or spill has occurred in the tank system, has the o/o complied with 3745-66-96? [3745-66-94(C)]	Yes ☐ No ☐ N/A ☒
TANK SYSTEM – INSPECTION REQUIREMENTS			
3.	Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of the following:		Tanks #3
	a.	Spill control equipment each operating day? [3745-66-95(A)(1)]	Yes ☐ No ☒ N/A ☐
	b.	Above ground portion of tank each operating day? [3745-66-95(A)(2)]	Yes ☐ No ☒ N/A ☐
	c.	Data from leak detection equipment each operating day? [3745-66-95(A)(3)]	Yes ☐ No ☒ N/A ☐
	d.	Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day? [3745-66-95(A)(4)]	Yes ☐ No ☒ N/A ☐
NOTE: "Each operating day" is each day that the tank system is being used to manage (store or treat) hazardous waste.			
4.	Where applicable, the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter? [3745-66-95(B)(1)]		Yes ☐ No ☐ N/A ☒
5.	Where applicable, all sources of impressed current at least bi-monthly? [3745-66-95(B)(2)]		Yes ☐ No ☐ N/A ☒
TANK SYSTEM CLOSURE REQUIREMENTS			
6.	If the generator has closed a <90 day tank, was closure completed in accordance with 3745-66-97 (except for paragraph C)?		Yes ☐ No ☐ N/A ☒
TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES			
7.	For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with one of the following: [3745-66-98(A)]		Yes ☒ No ☐ N/A ☐
	a.	Is the waste treated before or immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)? [3745-66-98(A)];or	Yes ☐ No ☐ N/A ☒
	b.	Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction? [3745-66-98(A)]; or	Yes ☒ No ☐ N/A ☐
	c.	The tank is used solely for emergencies? [3745-66-98(A)]	Yes ☐ No ☐ N/A ☒
8.	If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (1996)? [3745-66-98(B)]		Yes ☒ No ☐ N/A ☐
9.	Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material? [3745-66-99(A) and/or (B)]		Yes ☐ No ☐ N/A ☒

	a.	**If so,** have the requirements of 3745-65-17(B) been met? [3745-66-99(A) and/or (B)]	Yes ☐ No ☐ N/A ☒
TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS			
10.		In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following: [3745-66-100]	Yes ☐ No ☐ N/A ☒
	a.	Conducted waste analysis and trial treatment or storage tests? [3745-66-100(A)]; **OR**	Yes ☐ No ☐ N/A ☒
	b.	Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of 3745-66-94? [3745-66-100(B)]	Yes ☒ No ☐ N/A ☐
TANK SYSTEMS REQUIREMENTS			
11.		Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)? [3745-66-92(A)]	Yes ☒ No ☐ N/A ☐
NOTE: You should review the file to see if the written assessment has been previously reviewed and what the results were.			
12.		Does the written assessment include the following: [3745-66-92(A)]	
	a.	Certification by an independent, registered professional engineer? [3745-66-92(A)]	Yes ☒ No ☐ N/A ☐
	b.	Consideration of the design standards of the system? [3745-66-92(A)]	Yes ☒ No ☐ N/A ☐
	c.	Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)]	Yes ☒ No ☐ N/A ☐
	d.	An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)]	Yes ☐ No ☐ N/A ☒
	e.	A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)]	Yes ☐ No ☐ N/A ☒
	f.	Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)]	Yes ☒ No ☐ N/A ☐
	g.	Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)]	Yes ☐ No ☐ N/A ☒
	h.	Design considerations to ensure that the tank system will withstand the effects of frost heave (only for underground tank systems)? [3745-66-92(A)]	Yes ☐ No ☐ N/A ☒
NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.			
13.		Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed? [3745-66-92(G)]	Yes ☒ No ☐ N/A ☐
		Do the written statements address all of the following:	
	a.	Inspection for damage and/or inadequate construction and installation was conducted? [3745-66-92(B)]	Yes ☒ No ☐ N/A ☐
	b.	Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)]	Yes ☒ No ☐ N/A ☐
	c.	Proper backfilling? [3745-66-92(C)]	Yes ☐ No ☐ N/A ☒
	d.	Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)]	Yes ☒ No ☐ N/A ☐

	e.	Proper support and protection of ancillary equipment? [3745-66-92(E)]		Yes ☒ No ☐ N/A ☐
	f.	Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)]		Yes ☐ No ☐ N/A ☒
SECONDARY CONTAINMENT				
14.	Has secondary containment been provided? [3745-66-93(A)]			Yes ☒ No ☐ N/A ☐
NOTE: All tank systems must have secondary containment at this point, except for tank systems that store/treat materials that become hazardous waste after January 12, 1987, which must have secondary containment required within the time intervals in 3745-66-93(A)(1) to (A)(4). The date the material became a hazardous waste must be used in place of January 12, 1987. [3745-66-93(A)(5)]				
15.	Is secondary containment one of the following:			Yes ☒ No ☐ N/A ☐
	a.	An **External Liner**? [3745-66-93(E)(1)] If so,		Yes ☒ No ☐ N/A ☐
		i.	Is liner designed or operated to contain 100% of the capacity of the largest tank?	Yes ☒ No ☐ N/A ☐
		ii.	Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	Yes ☒ No ☐ N/A ☐
		iii.	Is liner free of cracks and gaps?	Yes ☒ No ☐ N/A ☐
		iv.	Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release?	Yes ☒ No ☐ N/A ☐
		v.	Are chemically resistant water stops in place at all points? *(concrete liners only)*	Yes ☒ No ☐ N/A ☐
		vi.	Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only)	Yes ☒ No ☐ N/A ☐
	b.	**Vault System?** [3745-66-93(E)(2)] If so,		Yes ☐ No ☐ N/A ☒
		i.	Is vault system designed to contain 100% of the capacity of the largest tank?	Yes ☐ No ☐ N/A ☒
		ii.	Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	Yes ☐ No ☐ N/A ☐
		iii.	Are chemically resistant water stops in place at all points?	Yes ☐ No ☐ N/A ☐
		iv.	Is there a compatible interior coating to prevent migration into the concrete?	Yes ☐ No ☐ N/A ☐
		v.	For **ignitable or reactive waste**: Is the vault system provided with means to prevent (or alternatively "protect against") the formation or ignition of vapors?	Yes ☐ No ☐ N/A ☐
		vi.	Is vault system provided with an exterior moisture barrier?	Yes ☐ No ☐ N/A ☐
	c.	**Double-Walled Tank?** [3745-66-93(E)(3)] If so,		Yes ☐ No ☐ N/A ☐
		i.	Is double-walled tank designed as an integral structure to contain any release from the inner tank?	Yes ☐ No ☐ N/A ☐
		ii.	**If metal**, are the primary tank interior and outer shell exterior surfaces protected from corrosion?	Yes ☐ No ☐ N/A ☐
		iii.	Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time?	Yes ☐ No ☐ N/A ☒

	d.	**An Equivalent Device?** As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)]	Yes ☐ No ☐ N/A ☒
SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION			
16.		Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids? [3745-66-93(B)(1)&(2)]	Yes ☒ No ☐ N/A ☐
17.		Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:	
	a.	Constructed or lined with compatible materials of sufficient strength to prevent failure? [3745-66-93(C)(1)]	Yes ☒ No ☐ N/A ☐
	b.	Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)]	Yes ☒ No ☐ N/A ☐
	c.	Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at the earliest practicable time? [3745-66-93(C)(3)]	Yes ☒ No ☐ N/A ☐
	d.	Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)]	Yes ☒ No ☐ N/A ☐
	e.	Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner? [3745-66-93(C)(4)]	Yes ☒ No ☐ N/A ☐
ANCILLARY EQUIPMENT REQUIREMENTS			
18.		Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)?	Yes ☒ No ☐ N/A ☐
		If not, is the ancillary equipment one of the following: [3745-66-93(F)]	
	a.	Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily?	Yes ☒ No ☐ N/A ☐
	b.	Welded flanges, welded joints and/or welded connections that are inspected daily?	Yes ☒ No ☐ N/A ☐
	c.	Sealless or magnetic coupling pumps and/or sealless valves that are inspected daily?	Yes ☐ No ☐ N/A ☒
	d.	Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that are inspected daily?	Yes ☒ No ☐ N/A ☐
TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE			
19.		Has there been a leak or spill from any tank system or has any tank system been found unfit for use? **If so**, did the o/o:	Yes ☐ No ☒ N/A ☐
NOTE: If the tank is found to be unfit for use, inspector should explain why.			
	a.	Immediately cease flow of material into tank and investigate the cause of the release? [3745-66-96(A)]	Yes ☐ No ☐ N/A ☐
	b.	Remove waste from tank system to prevent further release within 24 *hours* of detection or the earliest practicable time? [3745-66-96(B)(1)]	Yes ☐ No ☐ N/A ☐
	c.	Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment? [3745-66-96(B)(2)]	Yes ☐ No ☐ N/A ☐
	d.	For a visible release to the environment, immediately conduct a visual inspection of the release? [3745-66-96(C)]	Yes ☐ No ☐ N/A ☐
	e.	For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters? [3745-66-96(C)]	Yes ☐ No ☐ N/A ☐
	f.	For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)]	Yes ☐ No ☐ N/A ☒

	g.	Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)]	Yes ☐ No ☐ N/A ☐
	h.	For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)]	Yes ☐ No ☐ N/A ☐
	i.	Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)]	Yes ☐ No ☐ N/A ☐
	j.	For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)]	Yes ☐ No ☐ N/A ☒
NOTE: The requirements noted in 19.j. do not apply if the release was from an above ground component of the tank which can be inspected visually after being put back into service.			
20.		In the event that the repairs to the tank system were major (e.g., replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handing hazardous waste? [3745-66-96(F)]	Yes ☐ No ☐ N/A ☐
21.		Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)]	Yes ☐ No ☐ N/A ☐
22.		If the o/o was unable to repair and return the unit to service as described in 19.i through 19.j, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)]	Yes ☐ No ☐ N/A ☐
23.		Does the o/o have a tank system **with a variance from secondary containment** from which a release has occurred but <u>has not</u> migrated beyond the zone of engineering control? **If so,**	Yes ☐ No ☐ N/A ☐
	a.	Has the o/o complied with 3745-66-96(A) through (F) and decontaminated soils? [3745-66-93(G)(3)]	Yes ☐ No ☐ N/A ☐
	b.	If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)]	Yes ☐ No ☐ N/A ☐
24.		Does the o/o have a tank system **with a variance from secondary containment** from which a release occurred and <u>has</u> migrated from the zone of engineering control? **If so,**	Yes ☐ No ☐ N/A ☐
	a.	Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)]	Yes ☐ No ☐ N/A ☐
	b.	If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)]	Yes ☐ No ☐ N/A ☒

USED OIL INSPECTION CHECKLIST GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS			
NOTE: A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.			
PROHIBITIONS			
1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:		Yes ☐ No ☒ N/A ☐
	a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes ☐ No ☐ N/A ☒
NOTE: For example, used oil contaminated scrap metal stored in a pile.			
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]		Yes ☐ No ☒ N/A ☐
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?		Yes ☐ No ☐ N/A ☒
NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).			
GENERATOR STANDARDS			
4.	Does the generator mix hazardous waste with used oil? If so,		Yes ☐ No ☒ N/A ☐
	a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes ☐ No ☐ N/A ☒
NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.			
5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]		Yes ☐ No ☐ N/A ☒
NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.			
6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]		Yes ☒ No ☐ N/A ☐
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]		Yes ☐ No ☒ N/A ☐
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]		Yes ☐ No ☒ N/A ☐
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]		Yes ☒ No ☐ N/A ☐
	a.	Stopped the release?	Yes ☒ No ☐ N/A ☐
	b.	Contained the release?	Yes ☒ No ☐ N/A ☐
	c.	Cleaned up and properly managed the used oil and other materials?	Yes ☒ No ☐ N/A ☐
	d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes ☒ No ☐ N/A ☐
ON-SITE BURNING IN SPACE HEATER			
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:		
	a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes ☐ No ☐ N/A ☒

	b.	Is the heater designed to have a maximum capacity of not more that 0.5 million BTU per hour?	Yes ☐ No ☐ N/A ☒
	c.	Are the combustion gases from heater vented to the ambient air?	Yes ☐ No ☐ N/A ☒
NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).			
GENERATOR TRANSPORTATION			
11.		Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes ☒ No ☐ N/A ☐
12.		If the generator self-transports used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
	a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes ☐ No ☐ N/A ☒
	b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes ☐ No ☐ N/A ☒
NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).			
COLLECTION CENTERS AND AGGREGATION POINTS			
13.		Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes ☐ No ☐ N/A ☐
14.		Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes ☐ No ☐ N/A ☐
15.		Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes ☐ No ☐ N/A ☒
NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.			

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more
Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

PROHIBITIONS

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] — Yes ☐ No X N/A ___ RMK#___

2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] — Yes ☐ No X N/A ___ RMK#___

WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] — Yes ___ No ☐ N/A X RMK#___

4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] — Yes X No ☐ N/A ___ RMK#___

5. Does the SQUWH conduct any of the following activities:

   a. Sort batteries by type? — Yes X No___ N/A ___ RMK#___

   b. Mix battery types in one container? — Yes X No___ N/A ___ RMK#___

   c. Discharge batteries to remove the electric charge? — Yes___ No X N/A ___ RMK#___

   d. Regenerated used batteries? — Yes___ No X N/A ___ RMK#___

   e. Disassemble them into individual batteries or cells? — Yes___ No X N/A ___ RMK#___

   f. Remove batteries from consumer products? — Yes X No / N/A ___ RMK#___

   g. Remove the electrolyte from the battery? — Yes___ No X N/A ___ RMK#___

   If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] — Yes ☐ No___ N/A X RMK#___

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] — Yes ___ No ❑ N/A X RMK#___

   a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] — Yes ___ No ❑ N/A X RMK#___

   b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)] — Yes ___ No ❑ N/A X RMK#___

7. Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)] — Yes X No ❑ N/A ___RMK#___

UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] — Yes ___ No ☒ N/A ___RMK#___

9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] — Yes ___ No ❑ N/A X RMK#___

10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)] — Yes X No ❑ N/A ___RMK#___

NOTE: **Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)].** A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of

generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

ACCUMULATION TIME

11. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: — Yes X No___ N/A ___RMK#___

    a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] — Yes ___ No ❑ N/A X RMK#___

NOTE: ***Accumulation is defined as date generated or date received from another handler.***

12. Is the length of time the universal waste is stored documented by **one** of the following: [3745-273-15(C)] — Yes X No ❑ N/A ___RMK#___

    a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] — Yes___ No___ N/A ___RMK#___

    b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] — Yes___ No___ N/A ___RMK#___

    c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] — Yes___ No___ N/A ___RMK#___

    d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] — Yes___ No___ N/A ___RMK#___

    e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] — Yes___ No___ N/A X RMK#___

    f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] — Yes X No___ N/A ___RMK#___

EMPLOYEE TRAINING

13. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]

Yes X No ❑ N/A ___RMK#___

RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]

Yes X No ❑ N/A ___RMK#___

15. Is the material released characterized? [3745-273-17(B)]

Yes ___ No ☒ N/A ___RMK#___

16. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]

Yes ___ No ❑ N/A X RMK#___

OFF-SITE SHIPMENTS

NOTE: If a SQUWH self-transports waste, then they must comply with the Universal Waste transporter requirements.

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]

Yes X No ❑ N/A ___RMK#___

NOTE: SQUWHs are prohibited to send waste to any other facility.

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)]

Yes X No ❑ N/A ___RMK#___

19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]

Yes X No ❑ N/A ___RMK#___

20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do <u>one of the following</u>:

a. Receive the waste back? [3745-273-18(E)(1)]

Yes___ No___ N/A X RMK#___

b. Agree to where the shipment will be sent? [3745-273-18(E)(2)]

Yes___ No___ N/A X RMK#___

21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following: — Yes ___ No ☐ N/A X RMK#___

a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] — Yes___ No___ N/A X RMK#___

b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] — Yes___ No___ N/A X RMK#___

22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)] — Yes ___ No ☐ N/A X RMK#___

23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)] — Yes ___ No ☐ N/A X RMK#___

EXPORTS

24. Is waste being sent to a foreign destination? If so: — Yes___ No___ N/A X RMK#___

a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)] — Yes ___ No ☐ N/A ___ RMK#___

b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)] — Yes ___ No ☐ N/A ___ RMK#___

c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)] — Yes ___ No ☐ N/A ___ RMK#___

REMARKS